



CRL OP(MD)No.7390 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 22.05.2024

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.7390 of 2024

1.K.Anwar

2.Sumaiya

... Petitioners/ Accused Nos.3 & 4

Vs

State through the  
Inspector of Police,  
CCB Police Station,  
Madurai City.  
(In Crime No.20/2024)

... Respondent / Complainant

For Petitioners : Mr.CM.Arumugam, Advocate

For Respondent : Mr.A.Thiruvadikumar  
Additional Public Prosecutor

For Intervenor : Mr.T.Palanisamy, Advocate

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.20 of 2024 on the file of the Respondent police.



CRL OP(MD)No.7390 of 2024

ORDER: The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 419, 420, 465, 467, 468, 471, 474 and 120(B) IPC in Crime No.20 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the title holder of the landed property in Survey No.22/3 of Sri Meenakshi Amman Nagar, Siruthur Village, Madurai North Taluk, Madurai. In view of his employment he settled in Chennai, however, using his physical absence, the 1st accused namely M.Sathiya conspired with the second accused namely A.Jegannathan created a deed of power of attorney by mentioning that the defacto complainant was died and the 1st accused acquired the tile as if she is the daughter of the defacto complainant. The said power of attorney executed in favour of the second accused was prepared by the 9th accused namely Mr.Arunkumar and witnessed by the accused No.5 & 6 namely R.Senthil Kumar and Satham Hussain. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready and willing to cancel the sale deed.



CRL OP(MD)No.7390 of 2024

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4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the investigation is at initial stage and he prayed for dismissal of the anticipatory bail.

5.Taking into consideration the facts and circumstances of the case and also the fact that the petitioners are ready and willing to cancel the sale deed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.



CRL OP(MD)No.7390 of 2024

[d]the petitioners shall not abscond either during investigation or trial.

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[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
22/05/2024

/ TRUE COPY /

/05/2024  
Sub-Assistant Registrar  
(C.S.I /II /III /IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

AM

To

1.The Judicial Magistrate No.I,  
Madurai.

2.Do through the Chief Judicial Magistrate,  
Madurai District.

3.The Inspector of Police,  
CCB Police Station, Madurai City.



CRL OP(MD)No.7390 of 2024

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.M.ARUMUGAM, Advocate ( SR-5603[I] dated 22/05/2024 )

ORDER  
IN  
CRL OP(MD) No.7390 of 2024  
Date :22/05/2024

ED/ JGB /SAR- (27/05/2024) 5P / 6C

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